

Fill in this information to identify the case:

Debtor 1 Linda M. Thake

Debtor 2 \_\_\_\_\_  
(Spouse, if filing)

United States Bankruptcy Court for the: Eastern District of Missouri

Case number 15-47508-659

## Official Form 410S1

# Notice of Mortgage Payment Change

12/15

If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of creditor: Seterus, Inc., as authorized servicer for  
Federal National Mortgage Association ("Fannie Mae")

Court claim no. (if known): 14

Last 4 digits of any number you use to  
identify the debtor's account: 1 6 9 8

Date of payment change:  
Must be at least 21 days after date  
of this notice 06/01/2017

New total payment: \$ 786.21  
Principal, interest, and escrow, if any

### Part 1: Escrow Account Payment Adjustment

1. Will there be a change in the debtor's escrow account payment?

- ☐ No
- ☒ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: \_\_\_\_\_

Current escrow payment: \$ 273.49 New escrow payment: \$ 249.30

### Part 2: Mortgage Payment Adjustment

2. Will the debtor's principal and interest payment change based on an adjustment to the interest rate on the debtor's variable-rate account?

- ☒ No
- ☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why: \_\_\_\_\_

Current interest rate: \_\_\_\_\_% New interest rate: \_\_\_\_\_%

Current principal and interest payment: \$ \_\_\_\_\_ New principal and interest payment: \$ \_\_\_\_\_

### Part 3: Other Payment Change

3. Will there be a change in the debtor's mortgage payment for a reason not listed above?

- ☒ No
- ☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement.  
(Court approval may be required before the payment change can take effect.)

Reason for change: \_\_\_\_\_

Current mortgage payment: \$ \_\_\_\_\_ New mortgage payment: \$ \_\_\_\_\_

Debtor 1 Linda M. Thake Case number (if known) 15-47508-659  
First Name Middle Name Last Name

**Part 4: Sign Here**

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

Check the appropriate box.

- ☐ I am the creditor.  
☒ I am the creditor's authorized agent.

**I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.**

X/s/ Jonathon B. Burford Date 05/08/2017  
Signature

Print: Jonathon B. Burford Title Attorney for Creditor  
First Name Middle Name Last Name

Company Kozeny and McCubbin, L.C.

Address 12400 Olive Blvd., Ste. 555  
Number Street  
St. Louis MO 63141  
City State ZIP Code

Contact phone (314)991-0255 Email edmo@km-law.com

LINDA M THAKE  
c/o ROSS H. BRIGGS  
4144 LINDELL BLVD STE 202  
SAINT LOUIS MO 63108-2932

ESCROW ACCOUNT STATEMENT			
Analysis Date:		04/24/17	
Loan Number:			
Current Payment		New Payment Effective 06/01/17	
Principal and Interest	\$536.91	Principal and Interest*	\$536.91
Escrow	\$273.49	Escrow	\$239.22
		Escrow Shortage or Deficiency	\$10.08
Total Current Payment	\$810.40	Total NEW Payment*	\$786.21
* The principal and interest payments reflect the contractual amount due under the note, which can be modified with a mutually agreed upon payment plan. In addition, the new principal and interest payment and the total new payment may not reflect any changes due to interest rate adjustments. You will receive a separate notice for interest rate adjustments.			

NEW MORTGAGE PAYMENT NOTICE AND ESCROW ACCOUNT DISCLOSURE STATEMENT

Seterus, Inc. is the servicer of the above referenced loan. In accordance with federal guidelines, your escrow account is reviewed at least once a year to determine if sufficient funds are available to pay your taxes and/or insurance. Your escrow payment will be a minimum of the total anticipated disbursements divided by the number of scheduled installments due in the next 12 months. This payment will increase if you have a post-petition shortage and/or deficiency. This statement provides a history of actual escrow account activity and a projection of the escrow account activity for the next 12 months.

Our records indicate a petition for Bankruptcy was filed on October 2, 2015. Pursuant to that petition, we have filed a proof of claim with the Bankruptcy court. Any shortage and/or deficiency listed under the Proof of Claim section will be excluded from your future scheduled escrow payment as these amounts will be added to your pre-petition arrearage and collected in your bankruptcy plan payment.

ANTICIPATED DISBURSEMENTS		ESCROW ACCOUNT PROJECTIONS FOR THE NEXT 12 MONTH ESCROW CYCLE				
June 2017 to May 2018		Anticipated Activity				
CITY	\$1,262.64	Payments to Escrow	Payments from Escrow	Description	Projected Balance	
HAZARD INS	\$1,608.00					
Total Disbursements	\$2,870.64					
<div>Bankruptcy File Date October 2, 2015</div> <div>Pre-Petition Escrow Shortage/Deficiency as of Analysis Date \$1,840.58</div> <div>*Post Petition Beg Bal = The post-petition portion of the escrow starting balance</div> <div>**Beginning balance = Starting balance less any unpaid escrow disbursements</div> <div>The Real Estate Settlement Procedures Act (RESPA) allows us to collect and maintain up to 1/6 of your total disbursements in your escrow account at all times, unless prohibited by state law. This cushion covers any potential increases in your tax and/or insurance disbursements. Cushion selected by servicer: \$478.44.</div>		Beginning Balance**			\$286.95-	
		Post Petition Beg Bal*			\$1,553.63	
		Date				
		06/01/2017	239.22	0.00		1,792.85
		07/01/2017	239.22	0.00		2,032.07
		08/01/2017	239.22	0.00		2,271.29
		09/01/2017	239.22	0.00		2,510.51
		10/01/2017	239.22	0.00		2,749.73
		11/01/2017	239.22	0.00		2,988.95
		12/01/2017	239.22	1,262.64-	CITY	1,965.53
		12/01/2017	0.00	1,608.00-	HAZARD INS	357.53
		01/01/2018	239.22	0.00		596.75
		02/01/2018	239.22	0.00		835.97
		03/01/2018	239.22	0.00		1,075.19
		04/01/2018	239.22	0.00		1,314.41
		05/01/2018	239.22	0.00		1,553.63
		Total	\$2,870.64	\$2,870.64-		
		The escrow account has a pre-petition and post-petition shortage and/or deficiency. A deficiency, if applicable, is the amount of negative balance in the escrow account, which can occur when funds that have been paid from the escrow account exceed the funds paid to the escrow account. An escrow shortage occurs when the escrow balance is not enough to pay the estimated items and any additional reserve deposits that need to be paid during the next 12 months. The pre-petition shortage and/or deficiency is accounted for on the POC and will be collected as part of your pre-petition plan payment. The projected beginning balance of your escrow account is \$1,553.63. Your required beginning balance according to this analysis should be \$1674.54. This means you have a post-petition shortage and/or deficiency of \$120.91. For your convenience, we have spread this post-petition shortage and/or deficiency over the next 12 installments and included this amount in your escrow payment.				

This is a statement of actual activity in your escrow account from September 2016 to May 2017. This history compares the projections from your last escrow analysis or initial disclosure and the actual activity in your account. If a prior escrow analysis was not conducted during this historical period, the projected escrow balance will be zero.

ACTUAL ESCROW ACCOUNT HISTORY							
	Payments to Escrow		Payments from Escrow		Description	Escrow Balance	
	Projected	Actual	Projected	Actual		Projected	Actual
Beginning Balance						\$2,374.52	\$7,172.30-
Date							
09/01/16	276.27	0.00 *	48.52-	48.52-	MORTGAGE INS	2,602.27	7,220.82-
10/01/16	276.27	273.49 *	48.52-	48.52-	MORTGAGE INS	2,830.02	6,995.85-
11/01/16	276.27	0.00 *	48.52-	48.52-	MORTGAGE INS	3,057.77	7,044.37-
11/01/16	0.00	0.00	0.00	1,262.64- *	CITY	3,057.77	8,307.01-
12/01/16	276.27	273.49 *	48.52-	48.52-	MORTGAGE INS	3,285.52	8,082.04-
12/01/16	0.00	0.00	1,145.98-	0.00 *	CITY	2,139.54	8,082.04-
12/01/16	0.00	0.00	1,587.00-	1,608.00- *	HAZARD INS	552.54	9,690.04-
01/01/17	276.27	0.00 *	48.52-	48.52-	MORTGAGE INS	780.29	9,738.56-
02/01/17	276.27	0.00 *	48.52-	48.52-	MORTGAGE INS	1,008.04	9,787.08-
03/01/17	276.27	273.49 *	48.52-	48.52-	MORTGAGE INS	1,235.79	9,562.11-
04/01/17	276.27	9,047.41 *	48.52-	48.52-	MORTGAGE INS	1,463.54	563.22-
05/01/17	276.27	0.00	48.52-	0.00 *	MORTGAGE INS	1,691.29	563.22-
Total	\$2,486.43	\$9,867.88	\$3,169.66-	\$3,258.80-			
* indicates a difference from a previous estimate either in the date or the amount.							
** indicates escrow payment made during a period where the loan was paid ahead.							
NOTE – This analysis was prepared in advance of the escrow payment change date. Therefore, the projected beginning balance for the next 12 months estimates that you have paid all the required scheduled installments as shown in your actual account history and that all scheduled disbursements have been made from your escrow account.							

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. WE ARE ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT. THIS NOTICE IS BEING FURNISHED FOR YOUR INFORMATION AND TO COMPLY WITH APPLICABLE LAWS AND REGULATIONS. IF YOU RECEIVE OR HAVE RECEIVED A DISCHARGE OF THIS DEBT THAT IS NOT REAFFIRMED IN A BANKRUPTCY PROCEEDING, YOU WILL NOT BE PERSONALLY RESPONSIBLE FOR THE DEBT. **COLORADO:** SEE [WWW.COLORADOATTORNEYGENERAL.GOV/CA](http://WWW.COLORADOATTORNEYGENERAL.GOV/CA) FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT. Seterus, Inc. maintains a local office at 355 Union Boulevard, Suite 250, Lakewood, CO 80228. The office’s phone number is 888.738.5576. **NEW YORK CITY:** 1411669, 1411665, 1411662. **TENNESSEE:** This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Seterus, Inc. is licensed to do business at 14523 SW Millikan Way, Beaverton, OR 97005.

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

In Re

**Case No: 15-47508-659**

**Linda M. Thake, aka  
Linda M. Mays, aka  
Linda M. Buechner,  
Debtor.**

**Chapter 13**

**Seterus, Inc., as authorized  
subservicer for Federal National  
Mortgage Association ("Fannie Mae"),  
its successors and assigns,  
Movant.**

**CERTIFICATE OF SERVICE**

v.

**Kozeny & McCubbin, L.C.  
12400 Olive Blvd., Suite 555  
St. Louis, MO 63141  
edmo@km-law.com**

**Linda M. Thake, aka  
Linda M. Mays, aka  
Linda M. Buechner,  
Debtor,**

and

**Diana S. Daugherty, Trustee,  
Respondents.**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the Notice of Mortgage  
Payment Change and a copy of this pleading were served by U.S. First Class  
Mail the 8th day of May, 2017 to the parties listed below:

Linda M. Thake  
Debtor  
4058 Humphrey St.  
Saint Louis, MO 63116



Ross H. Briggs  
Attorney for Debtor  
4144 Lindell Blvd, Suite 202  
St. Louis, MO 63108

Diana S. Daugherty  
Chapter 13 Trustee  
P. O. Box 430908  
St. Louis, MO 63143

U.S. Trustee  
Office of US Trustee  
111 S Tenth St, Ste 6.353  
St. Louis, MO 63102

Respectfully submitted,

/s/Jonathon B. Burford  
Jonathon B. Burford, #59337MO  
H. Joseph Esry, #66708MO  
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